

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TIMOTHY D. KANE,)
)
Plaintiff,)
)
v.) Case No. 07 C 6590
)
RAYMOND GILBERT and) Judge George W. Lindberg
JOSEPH PAAVILAINEN,)
)
Defendants.)

DEFENDANTS' MOTION TO ENLARGE

RAYMOND GILBERT and JOSEPH PAAVILAINEN, defendants, by their attorney, Daniel P. Field, respectfully move pursuant to Fed.R.Civ.P 6(b) that this court enlarge the time for these defendants to answer or otherwise plead to plaintiff's complaint, and in support thereof, state as follows:

1. These defendants were each served with summons and complaint on December 14, 2007.
2. The answer or responsive pleading of each defendant is due on January 3, 2008.
3. The undersigned received the assignment of the defense of this matter from the Office of the State's Attorney of Lake County on January 2, 2008 and retrieved the file material from that office on January 3, 2008.
4. The undersigned is unable to investigate the facts of this matter or meet with the defendants and prepare a responsive pleading by January 3, 2008.
5. The undersigned is also the attorney for the City of Waukegan in a matter entitled *S. Alejandro Dominguez v. Paul Hendley, et al.*, which is pending in the United States Court of

Appeals for the Seventh Circuit as case number 07-1004 and 07-1005.

6. A judgment for approximately \$9.5 million was entered against the appellants Paul Hendley and the City of Waukegan as indemnitor of Paul Hendley in the district court.

7. The appellants opening brief is due to be filed on January 17, 2008.

8. The undersigned is requesting leave to file a responsive pleading in this matter on a date subsequent to the date for filing the City's brief in the *Dominguez* matter.

9. The undersigned requests that the time for the defendants herein to file a responsive pleading be enlarged to January 24, 2008.

WHEREFORE, RAYMOND GILBERT and JOSEPH PAAVILAINEN, defendants, pray that this court enter its order enlarging the time to file a responsive pleading to January 24, 2008.

Respectfully submitted,

RAYMOND GILBERT and JOSEPH
PAAVILAINEN, defendants

By: _____ s/ Daniel P. Field _____

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